THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.5502 of 2007

Date: 12.04.2007

Between:

K.Raghunandan.

....Petitioner

And

The Andhra Pradesh Central Power Distribution Company Limited and others.

....Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.5502 of 2007

O R D E R:

Petitioner claims to be a tenant of third respondent, in respect of a mulgi bearing No.23-5-581/1 of Laldarwaza, Hyderabad. Disputes arose between them and R.C.No.251 of 2006 is filed by the third respondent in the Court of II Additional Rent Controller, Hyderabad, against the petitioner, for eviction. Petitioner, on the other hand, filed R.C.No.214 of 2006 in the same Court, for a direction to the first respondent, to provide separate electricity meter, for the premises. It is stated that the petitioner was drawing power from the meter, which stands in the name of the third respondent. It is further stated that the mulgi, a portion of the building, in which the meter was located, was demolished, in the course of road widening, and thereafter, the petitioner obtained Service Connection in his own name. The grievance of the petitioner is that the power supply was disconnected, on a representation made by the third respondent to

respondents 1 and 2. This Writ Petition is filed challenging the action of the respondents.

Heard the learned counsel for the petitioner and the learned Standing Counsel for respondents 1 and 2. Though notice is served on respondent No.3, he has not chosen to enter appearance.

The petitioner obtained a temporary Service Connection from respondents 1 and 2. The dispute between the petitioner and the third respondent, in relation to the lease of the premises, is pending adjudication, before the Court of II Additional Rent Controller, Hyderabad. If the petitioner is entitled to continue in possession of the premises, till he is evicted through the Court of law, the third respondent cannot have any plausible objection, for providing power supply to the petitioner. The only condition can be that the petitioner alone must bear expenditure for installation of the connection or for consumption charges.

The power supply was restored to the petitioner, in pursuance of the interim orders passed by this Court.

For the foregoing reasons, the Writ Petition is disposed of, directing that respondents 1 and 2 shall continue power supply to the petitioner, as long as he

complies with the conditions; and this arrangement shall be in force, till the proceedings pending before the Court of II Additional Rent Controller, Hyderabad, terminate in one way or the other and would be subject to the result of the same. There shall be no order as to costs.

_____

12.04.2007

JSU